



CITY COUNCIL AGENDA

Tuesday, September 15, 2015 at 7:00 p.m.
Springfield City Hall
170 North 3rd Street

CALL TO ORDER

- Public announcement that a copy of the Nebraska Open Meetings Law is posted in the entry to the meeting room
- Roll call
- Pledge of Allegiance

BUDGET HEARING

Tuesday, September 15, 2015
7:00 p.m.

1. Budget Discussion

SET FINAL TAX REQUEST HEARING

Tuesday, September 15, 2015
7:05 p.m.

1. Discussion

CONSENT AGENDA

All consent agenda items are approved in one motion unless removed by a Council Member. Removed items will be placed under the Regular Agenda for consideration and action by the Council.

1. Approve Minutes of the September 1, 2015 Council Meeting
2. Approve Claims
3. Approve Treasurer's Report
4. Approve **Resolution 2015-17** amending Section 305 "Holidays" of the Springfield Employee Handbook
5. Close Railroad Street from Main Street to Cedar Street on Monday, September 21, 2015 for the Springfield Trail ribbon cutting ceremony and bicycle event
6. Approve Change Order No. 1 from Midwest DCM in the amount of \$5,387.60 for Main Street Phase 3; Approve Pay Application No. 4 & Final from Midwest DCM in the amount of \$30,057.34 for Main Street Phase 3

REGULAR AGENDA

1. Exceed the budget lid limit by an additional 1% for the fiscal year 2015-2016
2. Adopt the budget of expenditures of \$3,565,806.00 and request a property tax requirement of \$689,190.00 for the 2015-2016 fiscal year
3. Consider adopting **Resolution 2015-18** to set the 2015-2016 property tax request at .823361 per one hundred dollars of actual valuation
4. Consider approval of **Ordinance No. 899** to approve the budget, appropriate funds, set property tax request and add 1% increase of restricted funds
5. Consider approval of **Ordinance No. 900** designating the Springfield State Bank of Springfield, Nebraska as a city depository for the City of Springfield, Nebraska for the fiscal year October 1, 2015, to September 30, 2016
6. Consider approval of **Ordinance No. 901** establishing the amount of certain fees and taxes charged by the City of Springfield for various services; including changes to water and sewer rates; repealing ordinances in conflict; and providing for an effective date
7. Conduct a **Public Hearing** for (1) an amendment to Section 5.17 “BH Highway Business District” of the Springfield Zoning Ordinance adding banks, financial institutions and Automated Teller Machines, as part of a primary use, as permitted uses, and adding Automated Teller Machines when not within the interior of a primary use as a permitted conditional use and (2) a conditional use permit application filed by RTR Retail, LLC, applicant and property owner, for an Automated Teller Machine, not within the interior of a primary use, located on property legally described as Lot 2, Highview Addition Replat Two to the City of Springfield, Sarpy County, Nebraska and zoned BH Highway Business
8. Consider approval of **Ordinance No. 902** AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.17 “BH HIGHWAY BUSINESS DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
9. Consider approval of **Resolution 2015-19** approving and issuing a conditional use permit to RTR Retail, LLC, applicant and property owner, for the operation of an Automated Teller Machine, not within the interior of a primary use, located on property zoned Highway Business and legally described as Lot 2, Highview Addition Replat Two, an addition to the City of Springfield, Sarpy County, Nebraska, subject to certain conditions and agreements as set forth in the conditional use permit agreement
10. Conduct a **Public Hearing** for a conditional use permit amendment filed by Dan Williams and Wild Willy’s Fireworks LLC, applicants, and Williams Enterprises LLC, property owner, for the expansion of fireworks storage located on property legally described as Tax Lot 3A2B, Section 25, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska and zoned LI Light Industrial
11. Consider approval of **Resolution 2015-20** approving and issuing a conditional use permit amendment to Dan Williams and Wild Willy’s Fireworks LLC, applicants, and Williams Enterprises, property owner, for fireworks storage located on property zoned Light Industrial and legally described as Tax Lot 3A2B, Section 25, Township 13 North, Range 11 East of the 6th

P.M., Sarpy County, Nebraska, subject to certain conditions and agreements as set forth in the conditional use permit agreement

12. Consider a request from David Kildow to temporarily waive the sidewalk construction requirements for his properties at 380 Maple Street, 160 Vine Street and 180 Vine Street until such time as construction of the single-family dwellings are complete

DEPARTMENT REPORTS

1. Water & Parks Department – Bob Roseland
2. Library & Community Building – Randy Fleming
3. Sewer Department – Dan Craney
4. Street Department – Chad Nolte
5. Mayor’s Report – Mike Dill
6. City Staff Reports

The Mayor and City Council reserve the right to adjourn into executive session per Section 84-1410 of the Nebraska Revised Statutes.

ADJOURNMENT

MINUTES

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o’clock p.m. at City Hall on September 15, 2015. Present were Council Members: Bob Roseland, Darren Carlson, Dan Craney, Chad Nolte. Absent: Mayor Michael Dill. Council President, Bob Roseland, presided as Mayor. Notice of this meeting was given in advance by posting in three public places, one of the designated methods of giving notice. Notice of this meeting was given in advance to the Mayor and all Council Members and a copy of their receipt of notice is attached to these Minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

BUDGET HEARING CITY OF SPRINGFIELD, NEBRASKA

Tuesday, September 15, 2015
7:00 p.m.

Agenda Item 1. A Budget Hearing of the Mayor and Council of the City of Springfield, Nebraska, was held at 7:00 o’clock p.m. at City Hall on September 15, 2015. Notice of the Budget Hearing was given in advance by publishing in the Papillion Times, one of the designated methods of giving notice. The public hearing was open for the hearing of the proposed 2015-2016 budget. Those who spoke in favor: None. Those who spoke in opposition: None. Those who spoke in neutral capacity: None. Motion by Nolte, seconded by Carlson, to close the public hearing. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried. Public Hearing ended at 7:04 p.m. No action was taken.

**SET FINAL TAX REQUEST HEARING AGENDA
CITY OF SPRINGFIELD, NEBRASKA**
Tuesday, September 15, 2015
7:05 p.m.

Agenda Item 1. A Final Tax Request Hearing of the Mayor and Council of the City of Springfield, Nebraska, was held at 7:05 o'clock p.m. at City Hall on September 15, 2015. Notice of the Final Tax Request Hearing was given in advance by publishing in the Papillion Times, one of the designated methods of giving notice. The public hearing was open for the hearing of the proposed 2015-2016 final tax request. Those who spoke in favor: None. Those who spoke in opposition: None. Those who spoke in neutral capacity: None. Motion by Nolte, seconded by Carlson, to close the public hearing. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried. Public Hearing ended at 7:06 p.m. No action was taken.

Consent Agenda

Motion by Carlson, seconded by Craney, to approve the Consent Agenda. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Claims:

Name	Amount	Account Description
Consolidated Concrete	2,905.13	Asphalt & Concrete-Street
Gearhart Plumbing	39,865.00	Building-Streets
HOA Solutions	1,341.93	R&M Equip-Water
Iron Specialities	94,639.20	Building-Street
Kildow Construction	2,336.12	Building-Street
Marsh Creek Concrete, Inc.	94,600.00	Building-Street
Menards - Ralston	36.49	Supplies-Sewer
Premier Waste	125.70	Waste Removal-CB/Street/Park
Wild Willy's Fireworks	1,000.00	Promotional Materials-Keno
Total	236,849.57	

The City Clerk reported a balance on hand of \$1,098,254.28 in cash assets; Prestige Treasury - \$204,278.11; Prestige Bond - \$637,171.62; Keno Community Betterment - \$179,358.76; Keno Progressive Jackpot - \$50,000.00; Water Deposit Savings - \$4,186.16; Refundable Deposit Savings - \$1,222.19; Water Tower Savings - \$129,579.69; Sewer Restricted - \$108,155.60; Water Capital Facilities Fees - \$32,282.07; Sewer Capital Facilities Fees - \$75,324.80; City Sales Tax - \$401,152.55; Money Mark Library Bricks - \$3,761.93; Government Securities - \$104,807.34; Library Savings - \$62,447.83; Time Certificates as follows: Bond - \$76,854.79; Tower - \$57,500.31; Water - \$126,040.09; Park - \$11,929.29; Library Bricks - \$21,292.73; Cash Receipts - \$340,457.20; Cash Disbursements - \$141,915.66.

Regular Agenda

Agenda Item 1. Motion by Carlson, seconded by Craney, to exceed the budget lid limit by an additional 1% for the fiscal year 2015-2016. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 2. Motion by Nolte, seconded by Carlson, to adopt the budget of expenditures of \$3,565,806.00 and request a property tax requirement of \$689,190.00 for the 2015-2016 fiscal year. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 3. Council Member Nolte introduced Resolution 2015-18 and moved its adoption. Council Member Craney seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Carlson, Craney, Nolte. The following voted NAY: None. Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION
2015-18**

WHEREAS, the Mayor and City Council of the City of Springfield, Sarpy County, Nebraska, have conducted public hearings as prescribed by law and heard and considered comments concerning the propriety of the preliminary levy and the need to establish a different levy.

WHEREAS, the Mayor and the Council of the City of Springfield, Sarpy County, Nebraska, hereby finds and determines that it is in the best interest of the City that a levy be set at a different amount than that of the preliminary hearing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Springfield, Sarpy County, Nebraska, that the final levy for the fiscal year 2015-2016 is set at 0.823361 per one hundred dollars of actual valuation.

Passed and approved this 15th day of September, 2015.

Ayes 3

Nays 0

Abstain 0

Absent 1

Approved:

Mayor

SEAL

Attest:

City Clerk

Agenda Item 4. Council Member Nolte introduced Ordinance No. 899 entitled:

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO SET PROPERTY TAX REQUEST; TO ALLOW AN ADDITIONAL 1% INCREASE OF RESTRICTED FUNDS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Carlson seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Carlson, Craney, Nolte. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded

by Council Member Craney. The Mayor then stated the question “Shall Ordinance No. 899 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Carlson, Craney, Nolte. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 899

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO SET PROPERTY TAX REQUEST; TO ALLOW AN ADDITIONAL 1% INCREASE OF RESTRICTED FUNDS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA:

Section 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2015, through September 30, 2016. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the City of Springfield. The total disbursements and transfers for 2015-2016 is \$3,565,806.00. A copy of the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska and the County Clerk of Sarpy County, Nebraska, for use by the levying authority.

Section 2. That after complying with Nebraska Revised Statute 77-1601.02 providing that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the City of Springfield passes by a majority vote a resolution or ordinance setting the tax request at a different amount, and after holding a special public hearing as required by law to hear and consider comments concerning the property tax request, it is in the best interest of the City of Springfield that the property tax request of the current year be a different amount than the property tax request for the prior year. The 2015-2016 property tax request shall be set at:

General Fund	\$418,522.00	0.500000 levy
Bond Fund	<u>\$270,668.00</u>	<u>0.323361 levy</u>
Total	\$689,190.00	0.823361 levy

Section 3. That an additional 1% increase of Restricted Funds be allowed.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Section 5. That any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Passed and Approved this 15th day of September, 2015.

Mayor

(SEAL)

Attest:

City Clerk

Agenda Item 5. Council Member Carlson introduced Ordinance No. 900 entitled:

AN ORDINANCE DESIGNATING THE SPRINGFIELD STATE BANK OF SPRINGFIELD, NEBRASKA AS A CITY DEPOSITORY FOR THE CITY OF SPRINGFIELD, NEBRASKA FOR THE FISCAL YEAR OCTOBER 1, 2015, TO SEPTEMBER 30, 2016

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Nolte seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Carlson, Craney, Nolte. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Carlson moved for final passage of the ordinance, which motion was seconded by Council Member Nolte. The Mayor then stated the question "Shall Ordinance No. 900 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Carlson, Craney, Nolte. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 900

AN ORDINANCE DESIGNATING THE SPRINGFIELD STATE BANK OF SPRINGFIELD, NEBRASKA AS A CITY DEPOSITORY FOR THE CITY OF SPRINGFIELD, NEBRASKA FOR THE FISCAL YEAR OCTOBER 1, 2015, TO SEPTEMBER 30, 2016.

SECTION 1. That the Springfield State Bank is hereby designated and retained as the official City Depository for the City of Springfield, Nebraska for the fiscal year October 1, 2015, to September 30, 2016.

SECTION 2. That any other Ordinance and section passed and approved prior to the passage, approval, and publication of this Ordinance and in conflict with its provisions, is hereby repealed.

SECTION 3. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 15th day of September, 2015.

Mayor

(SEAL)

Attest:

City Clerk

Agenda Item 6. Council Member Nolte introduced Ordinance No. 901 entitled:

AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF SPRINGFIELD FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, LIBRARY, OCCUPATION LICENSING, PET LICENSING, WATER AND SEWER USE RATES, SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS OF THE CITY OF SPRINGFIELD; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Carlson seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Carlson, Craney, Nolte. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Craney. The Mayor then stated the question "Shall Ordinance No. 901 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Carlson, Craney, Nolte. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 901

AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF SPRINGFIELD FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, LIBRARY, OCCUPATION LICENSING, PET LICENSING, WATER AND SEWER USE RATES, SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS OF THE CITY OF SPRINGFIELD; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA

Section 1.

MASTER FEE SCHEDULE

ANIMAL CONTROL

All fees listed in this section are collected by the contracted Animal Control Authority, currently the Nebraska Humane Society. The Animal Control Authority sets and collects fees for the following: Impoundment (including a per day boarding fee), Veterinary Expenses, Euthanasia Expenses and Removal Costs.

1. Dog & Cat Licenses
 - a. Spayed or Neutered: \$5.00 annually
 - b. Intact: \$15.00 annually
 - c. License Handling/Issuance Fee: \$5.00 per license

*No license fees will be charged for senior citizens (65 or older) who own a spayed or neutered dog or cat.

2. Fine for not being licensed by March 15: Double licensing fee
3. Impound fees (excluding the per day boarding fee):
 - a. Altered Dog or Cat:
 - \$35.00 first redemption
 - \$70.00 second redemption within 24 months of the first redemption
 - \$140.00 third redemption within 24 months of the first redemption
 - +\$50.00 for subsequent redemptions
 - b. Unaltered Dog or Cat:
 - \$100.00 first redemption
 - \$300.00 second redemption within 24 months of the first redemption
 - \$600.00 third redemption or any subsequent redemption within 24 months of the first redemption
 - c. Reimbursement for animals sterilized and micro-chipped within 90 days of the date of redemption:
 - \$65.00 first redemption
 - \$230.00 second redemption
 - \$460.00 third redemption

BUILDING SERVICES

The City of Springfield contracts with the Sarpy County Building Inspector for inspection services. Before issuing a permit for the building of any new building or any alteration or remodeling of any building, the city shall charge and collect a fee. Building Permit Fees are based on Project Valuation calculated using the per square foot construction costs in the Sarpy County Building Valuation Data Table attached. Please also refer to the Sarpy County Permit Fee Schedule and Electric, Mechanical, and Plumbing Fixture Fee Tables attached.

Residential Dwelling:	
Finished Area Above Grade	\$104.00 per sq. ft.
Finished Area Below Grade	\$25.00 per sq. ft.
Unfinished Above/Below	\$15.00 per sq. ft.
Attached Garage	\$15.00 per sq. ft.
Deck/Patio	Included with new construction + elec/mech/plumb fixture fees
Residential Addition	Same as new construction
Residential Basement (Below Grade) Finish	\$25.00 per sq. ft. + elec/mech/plumb fixture fees

Residential Garage Addition (Attached or Detached)	\$25.00 per sq. ft.
Residential Plumbing Permit	\$24.00 base fee + fixture fee
Residential Mechanical Permit	\$24.00 base fee + fixture fee
Residential Electric Permit	\$50.00
Deck	Estimated Project Valuation
Sheds	\$5.00 per sq. ft.
Fences	\$5.00 per lineal foot
Swimming Pools:	
Above Ground	\$24.00
Below Ground	Estimated Project Valuation + fixture fee
Spas	\$24.00 + fixture fee
Lawn Sprinkler System:	
In addition to new construction permit	\$30.00
As a separate permit	\$42.00
Commercial Building:	
Permit Fee is based on Project Valuation calculated on a per square foot construction cost based on Occupant Use and Construction Type in the 2012 Building Valuation Data Table. Refer to the Sarpy County Building Valuation Data Table and Fee Schedule attached.	
Commercial Addition	Same as new construction
Commercial Remodel	Estimated Project Valuation
Commercial Electrical	Obtain Permit through State of Nebraska
Change of Occupancy	\$100.00 + applicable building permit fees
Grading Permit:	
Less than 10 acres	\$500.00
10 acres or more	\$1,000.00
Building Relocation / Moving Permit fees	\$100.00 + applicable building permit fees
Demolition Permit:	
Accessory structure less than 1,200 sq. ft.	\$50.00
Single-Family Dwelling	\$100.00
Commercial Structure	\$250.00
Park Capital Facilities Fee	\$200.00

*applied to all new construction residential and commercial permits

Septic Permit	\$100.00
Well Permit:	
New Well	\$100.00
Repair	\$50.00
Decommission	\$50.00
Curb Cut (New Opening):	
Fee	\$50.00 (covers inspection services)
Deposit (refundable upon final inspection)	\$125.00
Street Opening	\$10.00 per sq. ft., \$600.00 minimum
Sign Permit	\$.30 per sq. ft., \$40.00 minimum
Penalty Fee for No Permit	Triple permit fee
Expired Building Permit Renewal	One-half of new building permit fee
Refund Policy	80% of permit fee
Re-Inspection Fee (assessed upon third and any subsequent re-inspect)	\$60.00
Inspection Fee outside of normal business hours (two hour minimum)	\$60.00
Inspections for which no fee is specifically indicated (minimum charge – 1 hour)	\$50.00 per hour

CITY FACILITIES RENTAL

1. Community Building	
a. Hourly	\$10.00 residents and business owners within corporate limits \$25.00 non-residents 4 hour maximum rental period
b. Daily (entire building)	\$75.00 residents and business owners within corporate limits \$300.00 non-residents
c. Deposit	\$125.00 (refundable)
2. Library Meeting Room	
a. Daily	\$25.00
b. Deposit	\$100.00 (refundable)

ELECTION SERVICES

1. Election Filing Fees (See Ordinance)	1% of annual salary
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LIBRARY SERVICES

1. Damaged & Lost	
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a.	Books	Replacement Cost
b.	Magazines	Replacement Cost
c.	Audio Tapes	Replacement Cost
d.	Videos	Replacement Cost
2.	Fines	
a.	Books and Magazines	\$.10 per day
b.	Audio Books	\$.10 per day
c.	Videos/DVDs	\$1.00 per day
3.	Inter-Library Loan	\$2.00
4.	Non-resident Library Card	\$35.00 annually

MISCELLANEOUS

1.	Copy of City Map	\$3.00
2.	Fee for Returned Checks (NSF)	\$30.00
3.	Handicap Parking Permit (State Statute)	No charge
4.	Property Cleanup Service Fees (including but not limited to mowing/lawn service, snow removal and tree trimming)	\$300.00 per occurrence
5.	Request for Records (State Statute)	\$5.00 per half hour over 4 hours, plus copy costs

OCCUPATION FEES / FRANCHISE FEES / IN LIEU OF TAXES

(State Statute requires these fees be set by Ordinance)

1.	Advertising Bench	
a.	Application	\$10.00
b.	Renewal application	\$10.00
2.	Billiards, Pool Tables	\$10.00 annually
3.	Bingo License (State Statute)	\$10.00 annually
4.	Electric Companies	\$0 annually
5.	Fire Insurance Companies (State Statute)	\$5.00 annually
6.	Fireworks Stands	
a.	June 25 – July 4 Selling Period	\$2,500.00
b.	December 29 – 31 Selling Period	\$500.00
c.	Deposit	\$500.00 (refundable)
7.	Franchise Fees/In Lieu of Taxes	
a.	Electricity	5% of gross revenues
b.	Gas (State Statute §14-2139)	2% of gross revenues
c.	Cable Television (State Statute sets ceiling)	3% of gross revenues

8.	Liquor Establishments	
a.	Class A – Beer On Sale Only	\$150.00
b.	Class B – Beer Off Sale Only	\$150.00
c.	Class C – All Alcoholic Liquor On & Off Sale	\$500.00
d.	Class D – All Alcoholic Liquor Off Sale Only	\$300.00
e.	Class I – All Alcoholic Liquor On Sale Only	\$375.00
f.	Class L – Craft Brewery (Brew Pub)	\$375.00
g.	Class W – Wholesale Beer	\$750.00
h.	Class X – Wholesale Liquor	\$1,125.00
i.	Class Y – Farm Winery	\$375.00
j.	Class K – Catering	\$150.00
9.	Mechanical Amusement Devices	\$10.00 annually
10.	Sexually Oriented Business	
a.	New Application	\$500.00 plus professional fees
b.	Annual Fee	\$500.00
11.	Special Liquor Licenses	\$50.00 per day plus State Fee \$500.00 deposit (refundable)
12.	Tattoo Parlor	
a.	New Application	\$500.00 plus professional fees
b.	Annual Fee	\$500.00
13.	Telephone Occupation Tax	3% of gross receipts as defined by ordinance
14.	Tobacco License (State Statute)	\$10.00 annually
15.	Mobile Home Park	
a.	New Application	\$500.00 plus professional fees
b.	Annual Fee	\$10.00 per pad
16.	Vendor/Hawker/Peddler	
a.	Annually	\$150.00
b.	Per day	\$50.00

PLANNING SERVICES

1.	Administrative Plat (lot split/consolidation)	\$200.00
2.	Annexation Requests	\$100.00 plus professional Services costs (legal, engineering, planning, and administration)
3.	Board of Adjustment / Variance Request	\$250.00
4.	Connection-Capital Facilities Fees	Due at Final Plat Signing
a.	Sewer Connection-Capital Facilities Fees	
	Residential - Single Family	\$1,400.00 per unit
	Residential - Duplex	\$1,400.00 per unit

	Residential - Multi Family	\$800.00 per unit
	Commercial/ Industrial	\$6,000.00 per acre
	Industrial	\$1,960.00 per acre
	Park or Common Area	\$300.00 per acre
	Agriculture Land	\$200.00 per acre
b.	Water Connection-Capital Facilities Fees	
	Residential - Single Family	\$500 per unit
	Residential - Duplex	\$500.00 per unit
	Residential - Multi Family	\$300.00 per unit
	Commercial/ Industrial	\$1,000.00 per acre
	Industrial	\$840.00 per acre
	Park or Common Area	\$100.00 per acre
	Agriculture Land	\$100.00 per acre
5.	Comprehensive Plan Amendment	\$500.00
6.	Conditional Use Permit (1 acre or less)	\$300.00
7.	Conditional Use Permit (over 1 acre)	\$500.00
8.	Conditional Use Permit Amendment / Renewals	\$150.00
9.	Conditional Use Permit Annual Fee	\$30.00
10.	County Filing Fees (if filed by City)	\$50.00 plus actual costs
11.	Design Review Fee (applicable to zoning districts with overlay design standards)	\$250.00 or 20% of permit fee, whichever is greater
12.	Final Plat	\$500.00 plus \$10.00 for each lot
13.	Flood Plain Development Permit	\$500.00
14.	Park and Open Space Fee Cash in Lieu of Land Fee	.04 acres per unit at Final Plat \$30,000.00 per acre*
<p>*Calculated on the basis of each dwelling unit constituting .04 acres. In satisfaction of a subdivider's required dedication of land for parks, playgrounds, trails or recreational uses per City Subdivision Regulations and/or the subdivider's required in lieu of fee, the City may, in its discretion, accept in whole or in part, the cost of park/recreational improvements installed and paid for by the subdivider, such as pedestrian/bike trail improvements, trees, and other park/recreational improvements as set forth in a City approved park/recreational improvement plan incorporated into a subdivision agreement. Such dedications, in lieu of fee payment, or accepted park/recreational improvements are to be made or paid by the subdivider and shall not be made, paid or reimbursed by a sanitary improvement district.</p>		
15.	Preliminary Plat	\$750.00 plus \$10.00 per lot
a.	Revised Preliminary	\$250.00
16.	Replat	\$750.00 plus \$10.00 per lot
17.	Site Plan Review (amount added to building permit, as necessary)	\$150.00 less than 1 acre \$300.00 1-5 acres \$500.00 over 5 acres

18.	Tax Increment Finance Project Fee	1 ½ % of project cost to be Tax Increment Financed
19.	Vacation of Plat	\$150.00
20.	Vacation of Public Right-of-Way	\$150.00
21.	Zoning Map Amendment	\$400.00 (\$200.00 refundable if denied by Council)
22.	Zoning / Subdivision Regulations Text Amendment	\$500.00

POLICE SERVICES

1.	Parking Violations	
	a. 1 st offense	\$10.00
	b. Offense	\$20.00

SEWER UTILITY FEES

(State Statute requires these fees be set by Ordinance)

1.	Sewer Connection/Tap Fee	
	<u>Residential</u>	
	a. ¾"	\$300.00
	b. 1"	\$400.00
	c. 1 ½"	\$425.00
	d. 2"	\$450.00
	e. Larger Connections	Set by Council
	<u>Commercial/Industrial</u>	
	a. ¾"	\$450.00
	b. 1"	\$600.00
	c. 1 ½"	\$650.00
	d. 2"	\$675.00
	e. Larger Connections	Set by Council
	Out of City	150% of fee
2.	Sewer Use Rates (Set by Ordinance)	\$26.27 \$27.06 per month, \$1.06 \$1.09 per 1,000 gallons of usage
3.	Utility Deposit (includes water and sewer)	\$150.00

WATER UTILITY FEES

(State Statute requires these fees be set by Ordinance)

1.	Water Connection/Tap Fee	
	<u>Residential</u>	
	a. ¾"	\$300.00
	b. 1"	\$400.00
	c. 1 ½"	\$425.00
	d. 2"	\$450.00
	e. larger connections	Set by Council

	<u>Commercial/Industrial</u>	
	a. 3/4"	\$450.00
	b. 1"	\$600.00
	c. 1 1/2"	\$650.00
	d. 2"	\$675.00
	e. larger connections	Set by Council
	Out of City	150% of fee
2.	Water Meter Fee	
	a. 3/4"	\$275.00
	b. 1"	\$325.00
	c. 1 1/2"	City's actual cost
	d. Non-listed Meters	City's actual cost
3.	Water Re-connection	
	a. Water emergency – 1 st violation	\$50.00
	b. Water emergency – 2 nd violation	\$200.00
	c. Water emergency – 3 rd violation	\$300.00
	d. By request of owner – during business hours	\$30.00
	after business hours	\$60.00
	e. For non-payment or other violation–during business hours	\$40.00
	after business hours	\$80.00
4.	Water Use Rates	\$26.27 \$27.06 per month for 2,000 gallons, \$2.62 \$2.70 per 1,000 gallons of usage thereafter
5.	Non-service area customer	\$25 for each 500 gallon (does not include SIDs governed by Developer Agreement)
6.	Non-working/Non-readable Meter	\$50.00 per month

Section 2. Fees not listed in the previous section are still valid and applicable as noted in their documents of origin.

Section 3. This ordinance does not prohibit the development and implementation of additional fees.

Section 4. For fees which are required to be adopted by State Statute, this ordinance serves as an affirmation and shall not override the governing statute.

Section 5. Any City official is hereby authorized and directed to refuse service to anyone who refuses to pay the fee established for that service.

Section 6. No fee shall be waived or refunded without approval of the Springfield City Council.

Section 7. The City of Springfield shall have the right to charge, in addition to the above fees, any overtime costs incurred in connection with the service.

Section 8. This ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Section 9. That any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Passed and Approved this 15th day of September, 2015.

Mayor

(SEAL)

Attest:

City Clerk

Agenda Item 7. A Public Hearing of the Springfield City Council was opened at 7:10 p.m. to consider (1) an amendment to Section 5.17 “BH Highway Business District” of the Springfield Zoning Ordinance adding banks, financial institutions and Automated Teller Machines, as part of a primary use, as permitted uses, and adding Automated Teller Machines when not within the interior of a primary use as a permitted conditional use and (2) a conditional use permit application filed by RTR Retail, LLC, applicant and property owner, for an Automated Teller Machine, not within the interior of a primary use, located on property legally described as Lot 2, Highview Addition Replat Two to the City of Springfield, Sarpy County, Nebraska and zoned BH Highway Business. The City Administrator reviewed the staff report. No one from the public spoke in opposition to or in favor of the application. Motion by Nolte, seconded by Carlson, to close the public hearing. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried. Public Hearing closed at 7:11 p.m.

Agenda Item 8. Council Member Nolte introduced Ordinance No. 902 entitled:

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.17 “BH HIGHWAY BUSINESS DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Craney seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Carlson, Craney, Nolte. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Carlson. The Mayor then stated the question “Shall Ordinance No. 902 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Carlson, Craney, Nolte. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 902

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.17 “BH HIGHWAY BUSINESS DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA:

Section 1. Approval of Amendment to Zoning Ordinance. On September 8, 2015, the Springfield Planning Commission conducted a public hearing on the matter of (1) amending Section 5.17 of the zoning ordinance to allow banks, financial institutions and Automated Teller Machines, as part of a primary use, as a permitted use and (2) amending Section 5.17 of the zoning ordinance to allow Automated Teller Machines, when not within the interior of a primary use, as a permitted conditional use, and reported a recommendation of approval to the City Council. On September 15, 2015, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed change to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 9.01 of the Springfield Zoning Ordinance, Section 5.17 is hereby amended to include the following additions:

Section 5.17 BH Highway Business District

B. Permitted Uses

20. Banks, financial institutions and Automated Teller Machines, as part of a primary use

C. Permitted Conditional Uses:

13. Automated Teller Machines, when not within the interior of a primary use

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 15TH DAY OF SEPTEMBER, 2015.

Mayor

(SEAL)

Attest:

City Clerk

Agenda Item 9. Council Member Carlson introduced Resolution 2015-19 and moved its adoption. Council Member Craney seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Carlson, Craney, Nolte. The following voted NAY: None.

Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION
2015-19**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA APPROVING A CONDITIONAL USE PERMIT FOR RTR RETAIL, LLC, PROPERTY OWNER, FOR AN AUTOMATED TELLER MACHINE, NOT WITHIN THE INTERIOR OF A PRIMARY USE, LOCATED ON PROPERTY ZONED HIGHWAY BUSINESS AND LEGALLY DESCRIBED AS LOT 2, HIGHVIEW ADDITION REPLAT TWO, AN ADDITION TO THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA.

WHEREAS, the applicant/property owner of the above described property has made application for approval of a conditional use permit for the operation of an Automated Teller Machine, not within the interior of a primary use, located on property zoned BH Highway Business; and

WHEREAS, the city planner, city attorney, city clerk and other agencies have reviewed such application; and

WHEREAS, the Springfield Planning Commission held a public hearing on September 8, 2015, regarding the application and has made a recommendation of approval to the City Council of the conditional use permit; and

WHEREAS, the City Council of the City of Springfield held a public hearing regarding such application on September 15, 2015, and is agreeable to the conditional use permit, subject to certain conditions and agreements as set forth in the conditional use permit agreement attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Springfield hereby approves and issues the conditional use permit to RTR Retail, LLC, applicant and property owner, for the operation of an Automated Teller Machine, not within the interior of a primary use, located on property zoned Highway Business and legally described as Lot 2, Highview Addition Replat Two, an addition to the City of Springfield, Sarpy County, Nebraska, subject to certain conditions and agreements as set forth in the conditional use permit agreement attached hereto as Exhibit "A".

PASSED AND APPROVED THIS 15TH DAY OF SEPTEMBER, 2015.

Ayes 3

Nays 0

Abstain 0

Absent 1

Approved:

Mayor

SEAL

Attest:

City Clerk

Agenda Item 10. A Public Hearing of the Springfield City Council was opened at 7:13 p.m. to consider a conditional use permit amendment filed by Dan Williams and Wild Willy's Fireworks LLC, applicants, and Williams Enterprises LLC, property owner, for the expansion of fireworks storage located on property legally described as Tax Lot 3A2B, Section 25, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska and zoned LI Light Industrial. The City Administrator reviewed the staff report. Dan Williams expressed concern with meeting the new highway corridor overlay design guidelines. He noted that the new building will be to the east of the existing building and only the north and south sides of the building will be visible. Williams said that if he adds brick to the new building it would stand out. He reported that he plans to replace the existing office building (modular) with a new building within the next three years. The new building will have large glass windows and brick accent. The City Administrator noted that appropriate landscaping could be used in place of brick accents on the storage building. Williams agreed to submit a landscaping plan for review. No one else from the public spoke in opposition to or in favor of the application. Motion by Nolte, seconded by Carlson, to close the public hearing. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried. Public Hearing closed at 7:32 p.m.

Agenda Item 11. Motion by Nolte, seconded by Carlson, to table agenda item 11, regarding Resolution 2015-20 issuing a conditional use permit amendment for Wild Willy's Fireworks, until the October 6, 2015, Council meeting. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 12. David Kildow requested the Council temporarily waive the sidewalk construction requirements for his properties at 380 Maple Street, 160 Vine Street and 180 Vine Street. Kildow noted that all three properties are still under construction with single-family dwellings. Motion by Nolte, seconded by Carlson, to grant David Kildow a temporary waiver to the sidewalk construction requirements for his properties at 380 Maple Street, 160 Vine Street and 180 Vine Street, until such time as construction is complete. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Department Reports

Agenda Item 1. Roseland reported that the splash pad is closed for the season.

Agenda Item 2. No Department Report from Carlson.

Agenda Item 3. Craney reported that sewer projects are moving forward.

Agenda Item 4. Nolte reported that the maintenance department is working on street repairs.

Agenda Item 5. No Department Report from Mayor Dill.

Agenda Item 6. The City Administrator reported that the downtown businesses would like to see the holiday decorations up the first week of November for holiday events and open houses the businesses have planned for the holiday season. Council agreed to put the decorations up the first week of November.

Executive Session

Motion by Carlson, seconded by Nolte, to enter into executive session at 7:46 p.m. for the purpose of strategy sessions with respect to potential litigation. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Motion by Carlson, seconded by Craney, to leave executive session at 8:31 p.m. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Adjournment

Motion by Carlson, seconded by Craney, to adjourn. AYES: Carlson, Craney, Nolte. NAYS: None. Meeting adjourned at 8:32 p.m. Motion carried.

I, the undersigned, City Clerk for the City of Springfield, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on September 15, 2015; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Kathleen Gottsch
City Clerk